Software Rights Archive, LLC v. Google Inc. et al Doc. 140

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Attorneys for Defendant
APPLE INC.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

THE APPLE iPOD iTUNES ANTI-TRUST LITIGATION	**Case No. C 05 00037 JW** CLASS ACTION **STIPULATION REGARDING PRIVILEGED INFORMATION**

WHEREAS, plaintiffs seek the production of document retention notices distributed by Apple's legal counsel to Apple employees in connection with this litigation and to take a Rule 30(b)(6) deposition of Apple regarding Apple's document retention policies;

WHEREAS, Apple maintains that these document retention notices contain information that is protected by the attorney-client privilege and/or the attorney work product doctrine; and

WHEREAS, Apple and plaintiffs have reached a compromise regarding this requested discovery, with respect to which Apple will not be deemed to have waived any privilege or work product or other protection;

IT IS THEREFORE STIPULATED that:

1. Apple will disclose to plaintiffs' counsel the subject matters listed in the document retention notices distributed in connection with this litigation and the dates on which such notices

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were distributed. The parties agree that this disclosure is not intended, and shall not be construed to waive the attorney-client privilege, the attorney work product doctrine, or any other privilege or protection in this or any other litigation.

2. Apple intends this disclosure to take the place of a deposition of Apple on topics 7 and 8 in plaintiff Tucker's First Notice of Rule 30(b)(6) Deposition. Should plaintiffs seek to depose Apple on these topics after reviewing the information produced by Apple, Apple reserves its right to continue to object to the requested discovery.

It is hereby STIPULATED:

Dated: December 18, 2007

COUGHLIN STOIA GELLER RUDMAN & ROBBINS LLP

By: [signature] for Bonny Sweeney
Bonny E. Sweeney

Co-lead Counsel for Plaintiffs

Dated: December 20, 2007

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